IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

FAMILY COURT APPEAL NO.21 OF 2006

Smt.Rajashree J. Durafe and others .. Appellants
v/s.
Vithal Haribhau Durafe .. Respondent

Mr.Nitin Deshpande for Ms.I.M.Koparkar for the appellants.

Mr.V.N.Sugare for the respondent.

CORAM : R.M. LODHA &
S.J.VAZIFDAR, JJ.

DATED : 4TH JULY, 2006.

P.C.

On 26th June, 2006, we granted time to the advocate for the respondent to seek instructions as to whether some workable arrangement for the maintenance of the appellant and two children could be made.

2. Mr.V.N.Sugare, advocate for the respondent informs us that the respondent shall be able to give financial assistance to the extent of Rs.50,000/- in lumpsum to the appellant and the two children. He informed us that the respondent is retired person and does not have very good financial position.

3. Mr.Nitin Deshpande, Advocate gave an indication that an amount between Rs.75,000/- to Rs.1,00,000/- may be ordered to be paid by the respondent to the appellants.

4. Having reflected over the matter, we are of the view that the following order shall meet the ends of justice:

i) The respondent shall pay to the appellant No.1 a sum of Rs.75,000/- towards maintenance of all the appellants within four weeks from today.

ii) Upon the aforesaid amount being paid by the respondent, the appellants shall have no claim in the estate of the respondent and of maintenance.

iii) The appellant No.1 is directed to invest the amount of Rs.25,000/- in the name of appellant Nos.2 and 3 each in the fixed deposit of a nationalised bank for a period of three years out of the amount received from the respondent.

iv) It is clarified that in the event of the respondent not complying with this order, he may be proceeded with for the disobedience of the order.

The appeal is disposed of in the aforesaid terms.

(R.M.LODHA, J.)

(S.J.VAZIFDAR, J.)